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PATENTANW. LOUIS POHLAU LOHRENTZ

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NR. 7574 S. 2/11From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY予備審査報告
見解書

To:

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27. FEB. 2004

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NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT
(PCT Rule 71.1)Date of mailing
(day/month/year)

26.02.2004

Applicant's or agent's file reference
T45725WOMKhs

IMPORTANT NOTIFICATION

International application No.
PCT/B 02/01904International filing date (day/month/year)
26.02.2002Priority date (day/month/year)
26.02.2002Applicant
MATSUMURA, Eisel

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/B/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international
preliminary examining authority:

European Patent Office
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Tel. +49 89 2399 - 0 Tx: 523656 epmu d
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Authorized Officer

García Solá, J

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Form PCT/PEA/418 (January 2004)

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference T45725WOMW/hs	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/IB 02/1904	International filing date (day/month/year) 26.02.2002	Priority date (day/month/year) 26.02.2002
International Patent Classification (IPC) or both national classification and IPC G06K15/00		
Applicant MATSUMURA, Eisei		
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 8 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p>		
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the opinion II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input checked="" type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application 		
Date of submission of the demand 25.09.2003	Date of completion of this report 26.02.2004	
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4485	Authorized Officer Fichter, U Telephone No. +49 89 2399-2552 	

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**International application No. **PCT/IB 02/01904****I. Basis of the report**

1. With regard to the elements of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-5 as originally filed

Claims, Numbers

1-4 as originally filed

Drawings, Sheets

1/4-4/4 as originally filed

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
 - ☐ the language of publication of the international application (under Rule 49.3(b)).
 - ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).
3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:
- ☐ contained in the international application in written form.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority in written form.
 - ☐ furnished subsequently to this Authority in computer readable form.
 - ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
 - ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.
4. The amendments have resulted in the cancellation of:
- ☐ the description, pages:
 - ☐ the claims, Nos.:
 - ☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**International application No. **PCT/IB 02/01904**

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).
- (Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

IV. Lack of unity of invention

1. In response to the invitation to restrict or pay additional fees, the applicant has:
- ☐ restricted the claims.
 - ☐ paid additional fees.
 - ☐ paid additional fees under protest.
 - ☒ neither restricted nor paid additional fees.
2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is
- ☐ complied with.
 - ☒ not complied with for the following reasons:
see separate sheet
4. Consequently, the following parts of the international application were the subject of international preliminary examination in establishing this report:
- ☐ all parts.
 - ☒ the parts relating to claims Nos. 1,2 .

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Yes: Claims	1,2
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1,2
Industrial applicability (IA)	Yes: Claims	1,2
	No: Claims	

2. Citations and explanations**BEST AVAILABLE COPY**

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PATENTANW. LOUIS POEHLAU LOHRENTZ

NR. 7574 S. 6/11

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/B 02/01904**

see separate sheet

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**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/IB02/01904

Reference is made to the following document:

- D1: DE 38 31 817 A (MICROPLEX ELEKTRONISCHE DOKUME) 22 March 1990 (1990-03-22)
D2: US-A-5 553 204 (HIROYUKI KANEDA) 3 September 1996 (1996-09-03)
D3: WO 01 95101 A (SUN MICROSYSTEMS INC) 13 December 2001 (2001-12-13)

Re Item IV**Lack of unity of invention**

- 1 Document D1 discloses a printer controller comprising a network controller, a digital image processing circuit and a fixed logic circuit to communicate with the print engine.
- 2 The special technical feature defined by claims 1 and 2 with respect to document D1 are: a printer controller comprising a digital signal processor having a VLIW structure for processing the image data of four colours in parallel, solving the objectively determined technical problem of improving the speed of the preparation of the print image data.
- 3 The special technical features defined by claims 3 and 4 with respect to document D1 are: a printer controller using data fed back from the print engine to adjust the tone of the produced images, solving the objectively determined technical problem of printing colour images with a stable tonal quality.
- 4 Thus, there is no common special technical feature in the two subjects (of item 2 and 3), nor are there corresponding features as defined in Rule 13.2 PCT, as they relate to different objectively determined problems and their solutions.

Therefore, the claims do not fulfill the requirements of unity (Rule 13.1 PCT).

Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/IB02/01904

- 1 It is well known in the art to process four groups (cyan, magenta, yellow and black) of image data in parallel, see e.g. Document D2 (fig. 1 and col. 5, lines 22 - 64). D2 explicitly discloses (cf. col. 5, lines 34 - 36) "four groups of image data are simultaneously output in parallel". Moreover, a VLIW structured processor is specifically designed for parallel processing of huge volume of data and would therefore be an obvious design possibility for a processor in the printer controller.
- 2 The subject-matter of claims 1 and 2 does therefore not involve an inventive step (Article 33(3) PCT).

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Form PCT/Separate Sheet/409 (Sheet 2) (EPO-April 1997)